

**Lane Construction Corporation  
dba Sunrise Materials  
Penobscot County  
Orono, Maine  
A-332-71-K-A (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Amendment #1**

After review of the air emission license amendment application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Lane Construction (Lane), located in Orono, was issued air emission license A-332-71-I-R/A on March 11, 2004, permitting the operation of their hot mix asphalt plant and their crushed stone and gravel facility.

Lane has requested an amendment to thermally treat 25,000 cubic yards per year (an increase of 15,000 cubic yards over their current license limit of 10,000 cubic yards) of soil contaminated with gasoline, #2 fuel oil and #6 fuel oil located at the Installation Restoration Site 1, Former Fire Training Area at the Naval Computer and Telecommunication Area Master Station Atlantic Detachment in Cutler, Maine. Due to logistics and timeframes, two of Lane's licenses will be amended; this license as well as A-860-71-A-N. Only one plant will be performing the treatment and the Department will be notified which plant will be utilized prior to commencement of the treatment process. After the project is complete, both licenses will revert to their normal limit of 10,000 cubic yards per year.

**B. Application Classification**

The application for Lane does not include an increase in fuel use but does increase the allowed quantity of soil treated, and will be considered a minor modification.

### ORDER

Based on the above Findings and subject to conditions listed below the Department concludes that the emissions from this source:

will receive Best Practical Treatment,  
will not violate applicable emission standards,  
will not violate applicable ambient air quality standards in  
conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-332-71-K-A, subject to the conditions in license A-332-71-I-R/A, in addition to the following conditions:

**The following are new Conditions to Air Emission License A-332-71-I-R/A:**

**(16) Drum Mix Asphalt Plant**

- H. The licensee shall not process more than 25,000 cubic yards of petroleum contaminated soils per year without prior approval from the Department. Upon completion of the soil treatment process in Cutler, Maine, the licensee shall not process more than 10,000 cubic yards of petroleum contaminated soils per year without prior approval from the Department. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [MEDEP Chapter 115, BPT]
- I. Without prior approval from the Department, the licensee shall only process soil contaminated with gasoline, #2 fuel oil, and/or #6 fuel oil. [MEDEP Chapter 115, BPT]

**(27) Soil Treatment in Cutler, Maine**

- A. Lane shall perform a VOC stack test to demonstrate compliance with the VOC emission limit stated in Condition 16(G) no later than 20 calendar days after soil treatment has started. EPA Reference Method (RM) 25-A shall be used to determine the VOC emission rate. [MEDEP Chapter 115, BPT]

For the purpose of this license, soil treatment is defined as when contaminated soil is introduced into the asphalt kiln while fuel oil is being fired into the kiln.

- B. Lane shall notify the Air Bureau regional inspector at least 7 days prior to soil treatment as to which asphalt batch plant will be used and the estimated date of soil treatment. [MEDEP Chapter 115, BPT]
- C. Lane shall notify the Air Bureau regional inspector when soil treatment will begin at least 24 hours prior to soil treatment. [MEDEP Chapter 115, BPT]

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D. Lane shall perform an EPA RM 9 on the asphalt kiln baghouse exhaust during the VOC stack test to ensure the opacity standard from Condition 16(D) of the air emission license is being met. [MEDEP Chapter 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS            DAY OF            2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAVID P. LITTELL, COMMISSIONER

**The term of this amendment shall be concurrent with the term of Air Emission License A-332-71-I-R/A.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 18, 2006

Date of application acceptance: June 21, 2006

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This order prepared by Mark E. Roberts, Bureau of Air Quality